CAPITAL OFFENCES (IRELAND).

RETURN to an Order of the Honourable The House of Commons, dated 6 April 1865 ;—*for*,

RETURN "of the Number of Cases in *Ireland*, during the last Twenty Years, wherein PERSONS Accused of CAPITAL OFFENCES have been Remanded to Prison for Re-trial, or have been Set at Large, in consequence of the Inability of Juries to agree to a Verdict; specifying the Name of the Accused, the Crime Charged, the Year in which the Trial or Re-trial took place, and the Assize Town in which it had been held; the Return to be made up to the 31st day of March 1865."

(*Mr. Torrens.*)

Ordered, by The House of Commons, *to be Printed*, 12 *June* 1865.

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RETURN of the Number of Cases in *Ireland*, during the last Twenty Years, wherein PERSONS accused of CAPITAL OFFENCES have been Remanded to Prison for Re-trial, or have been Set at Large, in consequence of the Inability of Juries to agree to a Verdict; specifying the Name of the Accused, the Crime Charged, the Year in which the Trial or Re-trial took place, and the Assize Town in which it had been held; the Return being made up to the 31st March 1865.

COUNTY OF ANTRIM.

22 March 1849.—At an assizes held this day in the town of Carrickfergus for the county of Antrim, Hugh Thompson was tried for the murder of Jane Thompson; and the jury having retired at 5 o'clock p.m., to deliberate on their verdict, remained in confinement till 12.30 next day, when, being unable to agree to a verdict, they were discharged, and prisoner ordered to remain in custody for re-trial.

27 July 1849.—On this day prisoner was re-tried in Carrickfergus for said crime, when he was acquitted.

23 July 1862.—At an assizes held this day in the town of Belfast, in and for the county of Antrim, Agnes Connor was tried for the murder of William Paul; and the jury having retired to deliberate on their verdict at 3.40 p.m., remained confined till 9.40 same evening, when, being unable to agree to a verdict, they were discharged, and prisoner left for re-trial under rule of bail, which she was unable to procure.

3 March 1863.—On this day prisoner was re-tried in Belfast aforesaid for said crime, when she was acquitted.

17 March 1865.—At an assizes held this day at Belfast aforesaid, Robert Davison was tried for the murder of John Murdock; and the jury having retired at 4.45 p.m., to deliberate on their verdict, remained in confinement till 10 o'clock next morning, when, being unable to agree to a verdict, they were then discharged, and prisoner left for re-trial under rule of bail, which he procured.

18 March 1865.—At an assizes held this day at Belfast aforesaid, Henry Laverty was tried for the murder of John Gorman; and the jury having retired at 6 o'clock p.m., to deliberate on their verdict, remained in confinement till 11.40 same night, when, being unable to agree to a verdict, they were then discharged, and prisoner left for re-trial under rule of bail, which he procured.

26 April 1865. *J. K. Jackson*, Dep. Clerk of the Crown.

COUNTY OF ARMAGH.

Assize Town where Trial held.	Year of Trial or Re-trial.	Name of Accused.	Crime Charged.	Number of Cases remanded for Re-trial.	Number of Cases wherein Persons were set at large from Jury not agreeing to Verdict.
Armagh - -	1846: Spring -	Peter Magill - - -	Murder of Christopher Jordan.	1	—
	Ditto -	Robert Stothers and William Stothers.	Murder of James Patten -	1	—
	Ditto -	Henry Close - - -	Murder of Charlotte Close by poison.	1	—
	Ditto -	Joseph Brown - -	Manslaughter of Patrick M'Ilheron.	1	—
	Summer -	Peter Magill - - -	Murder - - - -	1	—
Ditto - -	1847: Spring -	Hugh Quin and James Shoulder	Murder of George M'Clean	1	—
Ditto - -	1848: Summer -	Mary Ann Murphy -	Murder of Elizabeth O'Berry	1	—
Ditto - -	1849 - -	- - nil - -	—		

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COUNTY OF ARMAGH—*continued.*

Assize Town where Trial held.	Year of Trial or Re-trial.	Name of Accused.	Crime Charged.	Number of Cases remanded for Re-trial.	Number of Cases wherein Persons were set at large from Jury not agreeing to Verdict.
Armagh - -	1850: Spring -	Mary Brown - - -	Child murder - - -	1	—
	Summer -	John M'Atavey and Patrick M'Nally.	Murder of Mr. Mauleverer -	1	—
	Ditto -	William Graham and William Campbell.	Stabbing, with intent to murder Michael Roche.	1	—
Ditto - -	1851: Spring -	John M'Atavey and Patrick M'Nally.	Murder of Mr. Mauleverer -	1	—
	Ditto -	James Johnston - -	Manslaughter - - -	1	—
	Summer -	Said James Johnston -	- ditto - - - -	1	—
Ditto - -	1852: Spring -	James M'Gahan - -	Manslaughter of Owen Short	1	—
	Ditto -	Francis Barry and John Maginnis.	Attempt to murder Meredith Chambre.	1	—
	Summer -	Said John Maginnis -	- - ditto - - -	1	—
	Ditto -	Said James M'Gahan -	Manslaughter - - -	1	—
Ditto - -	1853 - -	- - nil - -	—		
Ditto - -	1854 - -	- - nil - -	—		
Ditto - -	1855 - -	- - nil - -	—		
Ditto - -	1856: Spring -	Bryan Muckian - -	Murder of Bryan Grant -	1	—
	Ditto -	Robert Hall - - -	Shooting at David Muldrew	1	—
	Summer -	Bryan Muckian - -	Murder - - - -	1	—
Ditto - -	1857 - -	Robert Morrison and Thomas Callaghan.	Manslaughter of James M'Corry.	1	—
		Susan Cole - - -	Administering poison - -	1	—
Ditto - -	1858 - -	Elizabeth Magrath, *alias* Baird.	Child murder - - -	1	—
Ditto - -	1859 - -	John Henry Alexander -	Arson - - - -	1	1
Ditto - -	1860 - -	- - nil - -	—		
Ditto - -	1861 - -	Thomas Humfrey and William Humfrey.	Murder of Thomas Murphy	1	—
		John Webb - - -	Shooting at, with intent to murder.	1	—
Ditto - -	1862 - -	- - nil - -	—		
Ditto - -	1863 - -	Mary Sleeth - - -	Murder of David Sleeth -	1	—
Ditto - -	1864 - -	Stephen M'Anally - -	Murder of Christopher Heron	1	—
Ditto - -	1865 - -	Patrick Collins - -	Shooting at, with intent to murder.	1	1

4 May 1865.

Leonard Dobbin, Clerk of the Crown.

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COUNTY OF CARLOW.

— Nil. —

22 May 1865. *Thos. Jameson*, Clerk of the Crown.

COUNTY OF THE TOWN OF CARRICKFERGUS.

1847.—At an assizes held in the town of Carrickfergus on the 2d day of August in this year, James Boyle was indicted for the murder of his wife, Jane Boyle; jury not agreeing to a verdict (although locked up all night), were discharged, and prisoner admitted to bail for his appearance at following assizes to take his trial for said murder.

1848.—At the following assizes in said town, on the 8th day of March in this year, a *nolle pros* was entered by Crown on the indictment for murder, and prisoner indicted for manslaughter, but acquitted thereof, and convicted of an assault.

26 April 1865. *J. K. Jackson*, Deputy Clerk of the Crown.

COUNTY OF CAVAN.

Name of Accused.	Crime Charged.	Year in which Trial or Re-trial took place.	Set at large in consequence of Inability of Jury to agree.	Assize Town.	——
Terence Reilly, John Smith, and John Farrelly.	Murder of Thomas Burns.	Re-tried at Summer Assizes, 1847.	- -	Cavan -	On re-trial the jury was discharged in consequence of the illness of one of them. The prisoners were discharged on bail, and do not appear to have been tried again.
Patrick Brady and Mary Woods.	Murder of Margaret Reilly.	Re-tried at Summer Assizes, 1850.	- -	Cavan -	Prisoners acquitted on re-trial.

26 April 1865. *Henry J. Rae*, Clerk of the Crown.

COUNTY OF CLARE.

Number of Cases.	Names of Accused.	Crimes Charged.	Year in which Trial took place.	Year in which Re-trial took place.	Assize Town
1	Thomas Stackpoole -	Murder -	1854; remanded to prison for re-trial, jury having disagreed.	Not re-tried; prisoner having died in gaol before the following assizes, at which he was to be re-tried.	Ennis.

Jno. Sampson, Clerk of the Crown.

COUNTY OF CORK.

No case has occurred in the county of Cork during the last 20 years wherein any person accused of a capital offence has been remanded to prison for re-trial, or has been set at large in consequence of the inability of juries to agree to a verdict.

24 April 1865. *Richard Donovan*, Clerk of the Crown.

COUNTY OF THE CITY OF CORK.

I do not find that any person has been accused of capital offences, or remanded to prison for re-trial during the last 20 years in the county of the city of Cork.

Robt. Johnson, Clerk of the Crown.

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COUNTY OF DONEGAL.

Name of Accused.	Crime Charged.	Year of Trial or Re-trial.	Assize Town.
Patrick Connolly - -	Murder - - -	1857 - -	Lifford.
Francis Bradley - - -	Ditto - - -	1863 - -	Ditto.
Ditto - - - -	Ditto - - -	1884 - -	Ditto.
Ditto - - - -	Ditto - - -	1865 - -	Ditto.

26 May 1865. *Vesey Daly*, Clerk of the Crown.

COUNTY OF DOWN.

Name of Accused.	Crime Charged.	Assize Town and Year.	Remarks.
William Locke and Hugh M'Garry.	Murder -	Downpatrick, at July Assizes, 1845; remanded to gaol, jury having disagreed as to verdict.	The accused were re-tried at Spring Assizes, 1846, and acquitted.

R. Ross Todd, Clerk of the Crown.

COUNTY OF THE TOWN OF DROGHEDA.

— Nil. —

20 May 1865. *Patrick Jas. Byrne*, Clerk of the Crown.

COUNTY OF DUBLIN.

No case of a capital offence was tried at any of the several sittings of the Court of Commission of Oyer and Terminer and General Gaol Delivery for the county of Dublin, for the last 20 years, in which the jury did not agree to a verdict.

12 May 1865. *Edward Seale*, Clerk of the Crown.

COUNTY OF THE CITY OF DUBLIN.

No case of a capital offence was tried at any of the several sittings of the Court of Commission of Oyer and Terminer and General Gaol Delivery for the county of the city of Dublin, for the last 20 years, in which the jury did not agree to a verdict.

12 May 1865. *Edward Seale*, Clerk of the Crown.

COUNTY OF FERMANAGH.

No case of a capital offence was tried at the Court of Assizes and General Gaol Delivery holden in the county of Fermanagh, for the last 20 years, in which the jury disagreed to a verdict.

16 May 1865. *Cheyne Brady*, Clerk of the Crown.

COUNTY OF GALWAY.

Name of the Accused.	Crime.	Year in which Trial or Re-trial took Place.	Assizes Town.	Observations.
Mary Conry -	Murder -	Summer Assizes, 1847; re-tried, Spring Assizes, 1848.	Galway -	Verdict; not guilty.
John Glynn -	Ditto -	Summer Assizes, 1849; re-tried, Spring Assizes, 1850.	Ditto -	Ditto.

Alex. Bates, Clerk of the Crown.

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COUNTY OF THE TOWN OF GALWAY.

Name of the Accused.	Crime.	Year in which Trial or Re-trial took Place.	Assize Town.	Observations.
John Walsh -	Murder -	Spring Assizes, 1853; re-trial, Summer Assizes, 1853.	Galway -	Withdrew former plea; pleaded guilty of manslaughter; sentenced to be imprisoned 12 calendar months from committal, and hard labour.

Alex. Bates, Clerk of the Crown.

COUNTY OF KERRY.

— Nil. —

R. C. Mason, Deputy Clerk of the Crown.

COUNTY OF KILDARE.

— Nil. —

Wm. Lewis, Clerk of the Crown.

COUNTY OF KILKENNY.

No case of a capital offence was tried at the Court of Assizes and General Gaol Delivery held in and for the county of Kilkenny, for the last 20 years, in which the jury did not agree to a verdict.

12 May 1865. *William Smartt*, Deputy Clerk of the Crown.

COUNTY OF THE CITY OF KILKENNY.

No case of a capital offence was tried at the Court of Assizes and General Gaol Delivery held in and for the county of the city of Kilkenny, for the last 20 years, in which the jury did not agree to a verdict.

12 May 1865. *William Smartt*, Deputy Clerk of the Crown.

KING'S COUNTY.

Name of Accused.	Crime Charged.	Remanded to Prison for Re-trial.		Assize Town.	Set at large in consequence of Inability of Jury to agree.
		Year of Trial.	Year of Re-trial.		
John Keys - -	Murder -	Spring, 1850; jury disagreed.	Summer, 1850; found guilty of manslaughter.	Tullamore -	—
Patrick Moylan -	Shooting at -	Summer, 1851; jury disagreed.	Spring, 1852; acquitted.	Ditto -	—
Thomas Byrne -	Ditto -	Summer, 1856; jury disagreed.	Spring, 1857; acquitted.	Ditto -	—

Daniel Treacy, Clerk of the Crown.

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COUNTY OF LEITRIM.

— Nil. —

Carrick-on-Shannon, 15 May 1865. *P. M'Kiernan*, Clerk of the Crown.

COUNTY OF LIMERICK.

— Nil. —

23 May 1865. *Wm. Lane Joyut*, Clerk of the Crown.

COUNTY OF THE CITY OF LIMERICK.

— Nil. —

2 May 1865. *Thomas Fagan*, Clerk of the Crown.

CITY AND COUNTY OF LONDONDERRY.

— Nil. —

24 April 1855. *John Martin*, Clerk of the Crown.

COUNTY OF LONGFORD.

— Nil. —

22 April 1865. *John E. O. Ferrall*, Clerk of the Crown.

COUNTY OF LOUTH.

Name of Accused.	Crime Charged.	Year in which Trial or Re-trial took place.	Assize Town where Trial held.	Remanded for Re-trial.
Patrick Kieran - -	Murder - -	1851 - - -	Dundalk - -	Remanded, jury having disagreed.

Dundalk, 18 May 1865. *Patrick James Byrne*, Clerk of the Crown.

COUNTY OF MAYO.

Name of Accused.	Crime Charged.	Year in which Trial took place.	Remanded to Prison for Re-trial.	Re-trial took place.	Assize Town in which Trial took place.	Number of Persons set at large in consequence of Inability of Jury to agree to a Verdict.
James Gibbons -	Murder -	March 1847 -	Same; on another charge of felony.	August 1847; then acquitted.	Castlebar -	None.
Michael Morrisson	Ditto -	March 1864; jury disagreed.	Same - -	July 1864; convicted.	Ditto -	None.

1 May 1865. *J. Wm. Browne*, Clerk of the Crown.

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COUNTY OF MEATH.

— Nil. —

12 May 1865. *John J. Stanford*, Clerk of the Crown.

COUNTY OF MONAGHAN.

Number Remanded for Re-trial.	Number Set at Large in consequence of inability of Juries to agree to a Verdict.	Names of the Accused.	Crime Charged.	Year in which Trial or Re-trial took place.	Observations.
1	- -	Francis Kelly - -	Murder of T. D. Bateson, esq., agent to Lord Templeton.	1852-53 -	Tried twice at Special Commission in January 1852 (issued for that purpose), when juries not having agreed to a verdict the accused was remanded, and discharged by consent of the Crown at Lent Assizes 1853.
2	- -	Bryant Grant and Patrick Coomey.	Murder; conspiracy to murder said T. D. Bateson, esq.	1853 - -	Tried at Summer Assizes 1853, when jury not having agreed to a verdict the accused were remanded for re-trial; again tried, and convicted (together with one Neal Quin) at Lent Assizes 1854.
2	2	William M'Ardla and Edward Mageonis.	- - ditto -	1854-55	Tried at Lent and Summer Assizes 1854, and again at Lent Assizes 1855, when juries not having agreed on verdicts the accused were discharged by consent of Crown on entering into their own recognisances to appear and abide trial if called on by notice.

T. D. Bourne, Clerk of the Crown.

QUEEN'S COUNTY.

Maryboro' Assizes.

Lent, 1846.—Timothy Lalor, tried for attempt to murder. Jury disagreed. Prisoner ordered to remain in custody, to abide his trial at next assizes.

Summer, 1846.—Denis Kennedy, Dorry Carroll, Michael Treahy, James Scully, and Timothy Lalor, tried for conspiracy to murder, when jury disagreed, and prisoners, with the exception of Timothy Lalor, discharged from custody. Timothy Lalor ordered to remain in custody until next assizes.

Lent, 1847.—Timothy Lalor, tried for the above offence, acquitted, and discharged from custody.

Lent, 1848.—James M'Evoy, tried for soliciting to murder. Jury disagreed. Prisoner ordered to remain in custody until next assizes. Case not proceeded with in summer, 1848, and prisoner discharged from custody.

George Pilkington, Clerk of the Crown.

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COUNTY OF ROSCOMMON.

Name of Accused.	Crime charged.	Year.	Assize Town.	Remanded for Trial, or Set at Large.
Martin Healy -	Murder - -	1845	Roscommon -	Remanded for trial.
Patrick Flynn -	- ditto - -	1847	- ditto - -	- ditto.
James Commins -	Conspiracy to murder.	1848	- ditto - -	- ditto.

22 April 1885. *John James*, Deputy Clerk of the Crown.

COUNTY OF SLIGO.

Year of Trial.	Name of Accused.	Crime charged.	Year of Re-trial.	Observations.
1848	Matthew Gara -	-	Summer assizes 1848, and Spring 1849.	Jury discharged at first and second trials, in consequence of illness of jurors. At last trial a verdict of not guilty.
1861	Matthew Phibbs -	- ditto -	Summer assizes same year (1861), and convicted.	Executed, 19th August 1881.

J. Davys, Deputy Clerk of the Crown.

COUNTY OF TIPPERARY (North Riding).

Name of Accused.	Crime charged.	Year in which the Trial took place.	Place where Court held.
William Cormack - -	Murder - - -	1858 - -	Nenagh.

18 May 1865. *Pedder & Carmichael*, Clerks of the Crown.

COUNTY OF TIPPERARY (South Riding).

Name of the Accused.	Crime charged.	Year in which Trial took place.	Year in which Re-trial took place.	Assize Town in which Trial was held.
John Brien (Ardy) - -	Murder - -	1847 - -	1848 - -	Clonmel.
Patrick Griffin, William Farrell, and Michael English.	Shooting at -	1848 - -	1848 - -	- ditto.
Michael Maher, Edward Hart, Edward Burke, Honora Nagle, and Michael Neale.	Murder - -	1848 - -	- -	- ditto.
James Phillips - -	- ditto - -	1850 - -	1851 - -	- ditto.

Pedder & Carmichael, Clerks of the Crown.

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COUNTY OF TYRONE.

Name of the Accused.	Crime charged.	Year in which Trial took place.	Year in which Re-trial took place.	Assize Town.	Observations.
John Hamilton	Murder	1845		Omagh	Found insane; to remain to abide the Lord Lieutenant's pleasure.
Jane Patterson and William Loy.	ditto	1847		ditto	Trial postponed, on application of the Crown, at Summer Assizes, 1846; they to remain in custody. Tried and convicted at Spring Assizes, 1847, and sentenced to be hanged.
Arthur M'Cort	ditto	1847		ditto	Trial postponed, on application of the prisoner, at Spring Assizes, 1847; he to remain in custody. Tried and convicted at Summer Assizes, 1847, and sentenced to be hanged.
John Morris	ditto	1847		ditto	Trial postponed, on application of the prisoner, at Spring Assizes, 1847; he to be bailed. Tried at Summer Assizes, 1847, and acquitted.
1. Michael Lynn 2. John Lynn 3. Patrick Lynn 4. Felix Lynn 5. Peter Lynn	ditto	1848		ditto	Trial of Nos. 2 and 4 postponed, on application of the Crown, at Spring Assizes, 1848; they to be bailed. The others not amenable. At Summer Assizes, 1848, Nos. 2 and 4 ordered to be discharged, and not to attend without getting 14 days' notice.
Owen Kelly	ditto	1850		ditto	Tried at Spring Assizes, 1850, when jury disagreed; he to remain in custody. Tried at Summer Assizes, 1850, and convicted of manslaughter, and sentenced to 18 months' imprisonment and hard labour.
Mary Anna Trimble	ditto	1852		ditto	Bound in recognizance at Summer Assizes, 1851, to appear for trial for having administered poison, when trial postponed, on application of the Crown; she to be bailed. Indicted for murder at Spring Assizes, 1852, when trial again postponed, on application of the Crown. Tried at Summer Assizes, 1852, and acquitted.
Thomas Graham	Soliciting to murder.	1854	1855	ditto	Tried at Summer Assizes, 1854, when jury disagreed; he to be bailed. Tried at Spring Assizes, 1855, and acquitted.
William Tate	Murder	1854		ditto	Found insane; to remain to abide the Lord Lieutenant's pleasure.
Bernard M'Avry, the younger, and James M'Avry.	ditto	1856	1857	ditto	Tried at Spring Assizes, 1856, when jury disagreed. Tried at Summer Assizes, 1856, when jury disagreed. Tried at Spring Assizes, 1857, and acquitted.
1. Solomon Baxter 2. James Baxter 3. Stewart Drugan 4. James Niblow 5. John Anderson 6. Robert Neely 7. John Baxter	Murder and conspiracy, and soliciting to murder.			ditto	At Spring Assizes, 1856, Nos. 1, 2, 3 ordered to remain in custody; the others to be bailed. At Summer Assizes, 1856, trial of Nos. 1, 2, 3 postponed, on application of the Crown; they to be bailed. At Spring Assizes, 1857, their trial again postponed, on application of the Crown; they to remain out on recognizances. At Summer Assizes, 1857, No. 3 discharged by proclamation.

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COUNTY OF TYRONE—*continued.*

Name of the Accused.	Crime charged.	Year in which Trial took place.	Year in which Re-trial took place.	Assize Town.	OBSERVATIONS.
John Holden - - -	Murder -	1860 - -	- -	Omagh -	Trial postponed, on application of the prisoner, at Spring Assizes, 1860. Tried at Summer Assizes, 1860, convicted, and sentenced to be hanged.
Isabella Dickson - -	- ditto -	1860 - -	- -	- ditto -	Trial postponed, on application of the Crown, at Spring Assizes, 1860. Tried at Summer Assizes, 1860, and acquitted.
Peter Nugent, Michael Nugent, and Stephen Gorman.	- ditto -	1863 - -	- -	- ditto -	Trial postponed, on application of the Crown, at Spring Assizes, 1863; they to remain in custody. Tried at Summer Assizes, 1863, when Peter Nugent and Stephen Gorman convicted of manslaughter, Michael Nugent acquitted.
William M'Nickle - -	- ditto -	1864 - -	1865 - -	- ditto -	Trial postponed at Spring Assizes, 1864, on application of the Crown. Tried at Summer Assizes, 1864, when jury disagreed. Tried at Spring Assizes, 1865, when jury disagreed.

David Fitzgerald, Clerk of the Crown.

COUNTY OF WATERFORD.

Name of Accused.	Crime charged.	Year in which Trial or Re-trial took place.	Assize Town in which Trial had been held.
John Cody, James Carthy, and John Cody, jun.	Conspiracy to murder -	1851 - -	Waterford.

1 May 1865.

W. J. Dennehy, Clerk of the Crown.

COUNTY OF THE CITY OF WATERFORD.

— Nil. —

1 May 1865.

W. J. Dennehy, Clerk of the Crown.

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COUNTY OF WESTMEATH.

Year.	Number of Cases.	Crime.	Name of Accused.	Assize Town.	Observations.
1846	1	Attempt to murder.	Bryan Seery -	Mullingar -	The prisoner was tried twice at a special commission held at Mullingar on the 20th day of January 1846. In consequence of the jury first empanelled having disagreed, he was put on his trial a second time at the same commission, before another jury, by whom he was convicted.
1863	1	Murder -	John Bodkin	- ditto -	The prisoner was remanded to prison at the Summer Assizes, 1863, for re-trial, owing to the jury having disagreed; he was again tried, and acquitted, at the following assizes.

19 May 1865. *Wm. Mooney*, Clerk of the Crown.

COUNTY OF WEXFORD.

— Nil. —

John Edmond Roach, Clerk of the Crown.

COUNTY OF WICKLOW.

— Nil. —

6 May 1865. *J. M'Mahon*, Clerk of the Crown.

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